

SCHEDULE OF EVENTS

Rev 082016

EVENT

DATE

Deadline for Receipt of Written Questions	April 20, 2017
Deadline for Posting Written Responses to the State's Website	April 24, 2017
RFP Response Due Date	May 4, 2017
Intended Date for Contract Award	May 8, 2017*

***The dates above identified by an asterisk are included for planning purposes. These dates are subject to change.**

SECTION 1: INTRODUCTION AND INSTRUCTIONS

1.1 INTRODUCTION

The STATE OF MONTANA, Department of Natural Resources and Conservation ("State") is seeking an experienced natural resource consultant. A more complete description of the services to be provided is found in Section 3.

1.2 CONTRACT PERIOD

The contract term begins upon contract execution and ending on September 30, 2017.

1.2.1 COST ADJUSTMENTS – N/A

1.3 SINGLE POINT OF CONTACT

From the date this Request for Proposal (RFP) is issued until an offeror is selected and announced by the procurement officer, **offerors shall not communicate with any state staff regarding this procurement, except at the direction of Gwen Ungerman**, the procurement officer in charge of the solicitation. Any unauthorized contact may disqualify the offeror from further consideration. Contact information for the single point of contact is:

Procurement Officer: Gwen Ungerman
Address: PO BOX 201601
1539 11TH AVE
Helena, MT 59620-1601
Telephone Number: 406-444-6724
Fax Number: 406-444-2684
E-mail Address: ungermang@mt.gov

1.4 REQUIRED REVIEW

1.4.1 Review RFP. Offerors shall carefully review the entire RFP. Offerors shall promptly notify the procurement officer identified above via e-mail or in writing of any ambiguity, inconsistency, unduly restrictive specifications, or error that they discover. In this notice, the offeror shall include any terms or requirements within the RFP that preclude the offeror from responding or add unnecessary cost. Offerors shall provide an explanation with suggested modifications. The notice must be received by the deadline for receipt of inquiries set forth in Section 1.4.2. The State will determine any changes to the RFP.

1.4.2 Form of Questions. Offerors having questions or requiring clarification or interpretation of any section within this RFP must address these issues in writing to the procurement officer listed in this event by the deadline stated. Offerors shall submit questions on the Q & A Board Questions received after the deadline may not be considered.

1.4.3 State's Response. The State will provide a written response to all questions received by close of business on the date stated in the Schedule of Events included with this RFP.

1.5 GENERAL REQUIREMENTS

1.5.1 Offer in Effect for 120 Calendar Days. Offeror agrees that it may not modify, withdraw, or cancel its proposal for a 120-day period following the RFP due date or receipt of best and final offer, if required.

1.5.2 Resulting Contract. This RFP and any addenda, the offeror's RFP response, including any amendments, a best and final offer (if any), and any clarification question responses shall be incorporated by reference in any resulting contract.

1.5.3 Mandatory Requirements. To be eligible for consideration, an offeror ***must*** meet all mandatory requirements as listed in Sections 5, Budget. The State will determine whether an offeror's proposal complies with the requirements. Proposals that fail to meet any mandatory requirements listed in this RFP will be deemed nonresponsive.

1.6 SUBMITTING A PROPOSAL.

1.6.1 eMACS. eMACS requires files loaded in Vendor Attachments to be saved in two different pop-up windows. If the second save is not done, the file will not load correctly. Single file size is limited to 50MB.

1.6.2 Multiple Proposals. Offerors may, at their option, submit multiple proposals. All sections must clearly identify which proposal they belong to. The secondary proposals must be uploaded in Vendor Attachments. Each proposal shall be evaluated separately.

1.7 COSTS/OWNERSHIP OF MATERIALS

1.7.1 State Not Responsible for Preparation Costs. Offeror is solely responsible for all costs it incurs prior to contract execution.

1.7.2 Ownership of Timely Submitted Materials. The State shall own all materials submitted in response to this RFP.

1.8 DEBARMENT. Contractor certifies, by submitting this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction (contract) by any governmental department or agency. If Contractor cannot certify this statement, attach a written explanation for review by the State.

1.9 UNDERSTANDING OF SPECIFICATIONS AND REQUIREMENTS. By submitting a response to this RFP, offeror acknowledges it understands and shall comply with the RFP specifications and requirements.

1.10 Failure to Honor Proposal. If an offeror to whom a contract is awarded refuses to accept the award (PO/contract) or fails to deliver in accordance with the contract terms and conditions, the department may, in its discretion, suspend the offeror for a period of time from entering into any contracts with the State of Montana.

1.11 Late Proposals. ***Regardless of cause, the State shall not accept late proposals. Such proposals will automatically be disqualified from consideration.*** Offeror may request the State return the proposal at offeror's expense or the State will dispose of the proposal if requested by the offeror. (See Administrative Rules of Montana (ARM) 2.5.509.)

1.12 Facsimile Responses. A facsimile response to an RFP will ONLY be accepted on an exception basis with prior approval of the procurement officer and only if it is received in its entirety by the specified deadline. Responses to RFPs received after the deadline will not be considered.

1.13 Email Responses. Responses submitted via email are not allowed and shall not be considered by the State.

1.14 STATE'S RIGHT TO INVESTIGATE AND REJECT. The State may make such investigations as deemed necessary to determine the offeror's ability to provide the supplies and/or perform the services specified. The State reserves the right to reject a proposal if the information submitted by, or investigation of, the offeror fails to satisfy the State's determination that the offeror is properly qualified to perform the obligations of the contract. *This includes the State's ability to reject the proposal based on negative references.*

1.15 RECIPROCAL PREFERENCE. The State of Montana applies a reciprocal preference against a vendor submitting a bid from a state or country that grants a residency preference to its resident businesses. A reciprocal preference is only applied to an invitation for bid for supplies or an invitation for bid for nonconstruction services for public works as defined in section 18-2-401(9), MCA, and then only if federal funds are not involved. For a list of states that grant resident preference, see <http://sfsd.mt.gov/SPB/Preferences>.

1.16 OFFEROR'S REPRESENTATIONS – SIGNATORY AUTHORITY AND NO COLLUSION. Offeror represents that the person submitting the response to this RFP is authorized to legally bind the offeror to the proposal. The offeror may not withdraw the proposal for lack of authority. Offeror shall provide proof of authority of the person signing the RFP to bind the offeror upon State's request. The offeror further represents that the proposal has been made without collusion.

1.17 ACCEPTANCE OF CONTRACT. *By submitting a response to this RFP, offeror accepts the contract included in Buyer Attachments.* Much of the language included in the contract reflects the requirements of Montana law.

Offerors requesting additions or exceptions to the contract terms, shall submit them to the procurement officer listed above by the date specified for questions submission. A request must be accompanied by an explanation why the exception is being sought and what specific effect it will have on the offeror's ability to respond to the RFP or perform the contract. The State reserves the right to address nonmaterial requests for exceptions to the contract language with the highest scoring offeror during contract negotiation.

The State shall identify any revisions to the contract language either in the Q & A Board or in a written addendum issued for this RFP. The addendum will apply to all offerors submitting a response to this RFP. The State will determine any changes to the contract.

1.18 ACCEPTANCE/REJECTION OF PROPOSALS. The State reserves the right to accept or reject any or all proposals, wholly or in part, and to make awards in any manner deemed in the best interest of the State.

1.19 ALTERATION OF SOLICITATION DOCUMENT. In the event of inconsistencies or contradictions between language contained in the State's solicitation document and a vendor's response, the language contained in the State's original solicitation document will prevail. Intentional manipulation and/or alteration of solicitation document language will result in the vendor's disqualification and possible debarment.

SECTION 2: RFP STANDARD INFORMATION

2.1 AUTHORITY

The RFP is issued under 18-4-304, Montana Code Annotated (MCA) and ARM 2.5.602. The RFP process is a procurement option allowing the award to be based on stated evaluation criteria. The RFP states the relative importance of all evaluation criteria. The State shall use only the evaluation criteria outlined in this RFP.

2.2 OFFEROR COMPETITION

The State encourages free and open competition to obtain quality, cost-effective services and supplies. The State designs specifications, proposal requests, and conditions to accomplish this objective.

2.3 RECEIPT OF PROPOSALS AND PUBLIC INSPECTION

2.3.1 Public Information. Subject to exceptions provided by Montana law, all information received in response to this RFP, including copyrighted material, is public information. Proposals will be made available for public viewing and copying shortly after the proposal due date and time. The exceptions to this requirement are: (1) bona fide trade secrets meeting the requirements of the Uniform Trade Secrets Act, Title 30, chapter 14, part 4, MCA, that have been properly marked, separated, and documented; (2) matters involving individual safety as determined by the State; and (3) other constitutional protections. See 18-4-304, MCA. The State provides a copier for interested parties' use at \$0.10 per page. The interested party is responsible for the cost of copies and to provide personnel to do the copying.

2.3.2 Procurement Officer Review of Proposals. Upon opening the proposals in response to this RFP, the procurement officer will review the proposals for information that meets the exceptions in Section 2.3.1, providing the following conditions have been met:

- Confidential information (including any provided in electronic media) is clearly marked and separated from the rest of the proposal.
- The proposal does not contain confidential material in the cost or price section.
- An affidavit from the offeror's legal counsel attesting to and explaining the validity of the trade secret claim as set out in Title 30, chapter 14, part 4, MCA, is attached to each proposal containing trade secrets. Counsel must use the State of Montana "Affidavit for Trade Secret Confidentiality" form in requesting the trade secret claim. This affidavit form is available at: <http://vendorresources.mt.gov/VendorForms> or by calling (406) 444-2575.

Information separated out under this process will be available for review only by the procurement officer, the evaluator/evaluation committee members, and limited other designees. Offerors shall pay all of its legal costs and related fees and expenses associated with defending a claim for confidentiality should another party submit a "right to know" (open records) request.

2.4 CLASSIFICATION AND EVALUATION OF PROPOSALS

2.4.1 Initial Classification of Proposals as Responsive or Nonresponsive. The State shall initially classify all proposals as either "responsive" or "nonresponsive" (ARM 2.5.602). The State may deem a proposal nonresponsive if: (1) any of the required information is not provided; (2) the submitted price is found to be excessive or inadequate as measured by the RFP criteria; or (3) the proposal does not meet RFP requirements and specifications. The State may find any proposal to be nonresponsive at any time during the procurement process. If the State deems a proposal nonresponsive, it will not be considered further.

2.4.2 Determination of Responsibility. The procurement officer will determine whether an offeror has met the standards of responsibility consistent with ARM 2.5.407. An offeror may be determined nonresponsible at any time during the procurement process if information surfaces that supports a nonresponsible determination. If an offeror is found nonresponsible, the procurement officer will notify the offeror by mail. The determination will be included within the procurement file.

2.4.3 Evaluation of Proposals. An evaluator/evaluation committee will evaluate all responsive proposals based on stated criteria and recommend an award to the highest scoring offeror. The evaluator/evaluation committee may initiate discussion, negotiation, or a best and final offer. In scoring against stated criteria, the evaluator/evaluation committee may consider such factors as accepted industry standards and a comparative evaluation of other proposals in terms of differing price and quality. These scores will be used to determine the most advantageous offering to the State. If an evaluation committee meets to deliberate and evaluate the proposals, the public may attend and observe the evaluation committee deliberations.

2.4.4 Completeness of Proposals. Selection and award will be based on the offeror's proposal and other items outlined in this RFP. Proposals may not include references to information such as Internet websites, unless specifically requested. Information or materials presented by offerors outside the formal response or subsequent discussion, negotiation, or best and final offer, if requested, will not be considered, will have no bearing on any award, and may result in the offeror being disqualified from further consideration.

2.4.5 Achieve Minimum Score. – N/A

2.4.6 Opportunity for Discussion/Negotiation and/or Oral Presentation/Product Demonstration.
– N/A

2.4.7 Best and Final Offer. Under Montana law, the procurement officer may request a best and final offer if additional information is required to make a final decision. The State reserves the right to request a best and final offer based on price/cost alone. Please note that the State rarely requests a best and final offer on cost alone.

2.4.8 Evaluator/Evaluation Committee Recommendation for Contract Award. The evaluator/evaluation committee will provide a written recommendation for contract award to the procurement officer that contains the scores, justification, and rationale for the decision. The procurement officer will review the recommendation to ensure its compliance with the RFP process and criteria before concurring with the evaluator's/evaluation committee's recommendation.

2.4.9 Request for Documents Notice. Upon concurrence with the evaluator's/evaluation committee's recommendation, the procurement officer will request from the highest scoring offeror the required documents and information, such as insurance documents, contract performance security, an electronic copy of any requested material (e.g., proposal, response to clarification questions, and/or best and final offer), and any other necessary documents. Receipt of this request does not constitute a contract and **no work may begin until a contract signed by all parties is in place.** The procurement officer will notify all other offerors of the State's selection.

2.4.10 Contract Execution. Upon receipt of all required materials, a contract (Appendix B) incorporating the Standard Terms and Conditions (Appendix A), as well as the highest scoring offeror's proposal, will be provided to the highest scoring offeror for signature. The highest scoring offeror will be expected to accept and agree to all material requirements contained in Appendices A and B of this RFP. If the highest scoring offeror does not accept all material requirements, the State may move to the next highest scoring offeror, or cancel the RFP. Work under the contract may begin when the contract is signed by all parties.

2.5 STATE'S RIGHTS RESERVED

While the State has every intention to award a contract resulting from this RFP, issuance of the RFP in no way constitutes a commitment by the State to award and execute a contract. Upon a determination such actions would be in its best interest, the State, in its sole discretion, reserves the right to:

- Cancel or terminate this RFP (18-4-307, MCA);
- Reject any or all proposals received in response to this RFP (ARM 2.5.602);
- Waive any undesirable, inconsequential, or inconsistent provisions of this RFP that would not have significant impact on any proposal (ARM 2.5.505);
- Not award a contract, if it is in the State's best interest not to proceed with contract execution (ARM 2.5.602); or
- If awarded, terminate any contract if the State determines adequate state funds are not available (18-4-313, MCA).

SECTION 3: SCOPE OF SERVICES

3.0 Project Overview

The Montana Invasive Species Advisory Council (MISAC) seeks an experienced natural resource consultant to develop deliverables for an early detection rapid response (EDRR) pilot project for non-native mussels in the Tiber Reservoir/Lake Elwell. The intent of the pilot project is to identify, test, and evaluate effective coordination among government agencies and non-governmental stakeholders in the development and implementation of a site-specific EDRR program instituted as an emergency response measure.

3.1 Project Background

Monitoring for aquatic invasive species (AIS) in Montana has been in place since 2002 and has included an extensive education program focused on prevention and education. Until 2016, no detections of aquatic invasive mussels had occurred in Montana waterbodies.

In October 2016, the Bureau of Reclamation (BOR) notified Montana Fish, Wildlife and Parks (FWP) of suspect invasive mussel larvae (veliger) in a water sample from Tiber Reservoir. Subsequent testing of samples verified Tiber Reservoir as having *dreissenid* mussel larvae. Canyon Ferry Reservoir and the Missouri River below Toston dam had suspect sampling results and are being prioritized for additional monitoring and containment. The Milk River had an inconclusive sample result that warrants further, prioritized monitoring.

On-the-ground surveys of rocks, docks, shorelines and other surfaces involving people, dogs, snorkelers, and divers occurred during fall of 2016 and no adult mussels have been detected.

This situation represents an early phase of infestation, but does not guarantee that adult mussels will become established based on a variety of environmental conditions and early aggressive response efforts. It is unknown if the larvae are zebra or quagga mussels; however both are invasive and present an equal threat to Montana's water resources.

To address this situation, MISAC is undertaking an EDRR pilot project for non-native mussels in Tiber Reservoir.

3.2 Scope of Services and Project Deliverables

The State seeks a consultant with relevant experience in EDRR planning and facilitation for invasive mussels. Specifically, the Contractor will:

- Draft a strategic plan for coordination of relevant government agencies (Federal, state, tribal, local) and non-governmental stakeholders. Note: Hereafter, these entities are collectively referred to as "EDRR project partners." [draft strategic plan]
- Bring key representatives of EDRR project partner organizations together in a small workshop to review the draft strategic plan and take constructive steps toward integrating it into a *Coordinated EDRR Invasive Mussel Plan for the Tiber Reservoir*. A brief summary of outcomes is to be produced within 30 days of the workshop. [workshop]
- Produce a publically available *Coordinated EDRR Invasive Mussel Plan for the Tiber Reservoir* that: (a) clearly lays out roles and responsibilities for the EDRR project partners, (b) includes measures for activity evaluation and reporting by each project partner, and (c) has been endorsed in writing by each project partner. [coordinated mussel plan]

- Plan and facilitate up to 5 invasive species rapid response exercises for various audiences and stakeholder groups across the state and 1 in the upper Columbia River Basin (location TBD). [RR exercises]

The State agrees to provide any existing information, relevant plans or internal assessment documents, and access to relevant stakeholders and agency staff.

3.3 Project Timeline Summary

Deliverable 1: Draft Strategic Plan	May/June 2017
Deliverable 2: Workshop	July/August 2017
Deliverable 3: Coordinated Mussel Plan	September 1, 2017
Deliverable 4: RR exercises	June-September 2017
Project completed by	September 31, 2017

SECTION 4: OFFEROR QUALIFICATIONS

4.1 STATE'S RIGHT TO INVESTIGATE AND REJECT

The State may make such investigations as deemed necessary to determine the offeror's ability to perform the services specified. The State reserves the right to reject a proposal if the information submitted by, or investigation of, the offeror fails to satisfy the State's determination that the offeror is properly qualified to perform the obligations of the contract. *This includes the State's ability to reject the proposal based on negative references.*

4.2 OFFEROR QUALIFICATIONS

To enable the State to determine the capabilities of an offeror to perform the services specified in the RFP, the offeror shall respond to the following regarding its ability to meet the State's requirements.

NOTE: Each item must be thoroughly addressed. Offerors taking exception to any requirements listed in this section may be found nonresponsive or be subject to point deductions.

4.2.1 References. Offeror shall provide a minimum of 3 references that are currently using or have previously used services of the type proposed in this RFP. The references may include state governments or universities for whom the offeror, preferably within the last 5 years, has successfully completed Natural Resource Consultant.

At a **minimum**, the offeror shall provide the following:

- Company name,
- Location where the services were provided,
- Contact person(s),
- Contact telephone number,
- e-mail address,
- Complete description of the services provided,
- Dates of service.

These references may be contacted to verify offeror's ability to perform the contract. The State reserves the right to use any information or additional references deemed necessary to establish the ability of the offeror to perform the contract. Negative references may be grounds for proposal disqualification.

4.2.2 Company Profile and Experience. Offeror shall provide documentation establishing the individual or company submitting the proposal has the qualifications and experience to provide the services specified in this RFP, including, at a minimum:

- a detailed description of any similar past projects, including the service type and dates the services were provided;
- the client for whom the services were provided; and
- Describe your experience and capabilities relevant to the development of rapid response plans and facilitation of exercises

4.2.3 Resumes. A resume or summary of qualifications, work experience, education, and skills must be provided for all key personnel, including any subcontractors, who will be performing any

aspects of the contract. Include years of experience providing services similar to those required; education; and certifications where applicable. Identify what role each person would fulfill in performing work identified in this RFP.

4.2.4 Ability to Meet Provisions of Services. Offeror shall provide their experience with Natural Resource consulting as more specifically detailed in Section 3.

- a. Provide one example of a similar completed rapid response work.
- b. Provide a narrative addressing the scope of work and the timeline for the management plan.

4.2.5 Work Plan. Please submit a complete work plan indicating how you will complete the tasks listed in section 3.2. The work plan should be concise yet detailed enough to indicate how you intend to successfully accomplish each task. Please provide a rough timeline of activities to address each task.

- a. Provide a narrative addressing the scope of work and the timeline for the management plan.
- b. Provide a timeline and tasks to meet project goals.

4.2.6 Equal Pay for Montana Women. Executive Order No. 12-2016 promoting equal pay for Montana women directs the Department of Administration to include incentives in the RFP process for contractors who engage in best practices to promote wage transparency. These best practices include the following:

- (a) posting salary ranges in employment listings;
- (b) certifying that the contractor will not ask about wage history in employee interviews; and
- (c) certifying that the contractor will not retaliate or discriminate against employees who discuss or disclose their wages in the workplace.

☐ No, I do not agree.

Statement of Compliance with Equal Pay for Montana Women. Offeror indicating it will comply with Executive Order No. 12-2016 will receive 5% of the total points available. Offerors who do not comply will not receive the available points. Offerors are required to sign and upload a PDF copy of this certification with their proposal to certify compliance.

☐ Yes, I agree and will comply with the best practices to promote wage transparency outlined in Executive Order No. 12-2016.

Company Name (Clearly Printed): _____

Authorized Signature: _____

Date: _____

SECTION 5: COST PROPOSAL

5.0 BUDGET PROPOSAL

The maximum budget amount for this contract is \$80,000.00

Exceeding the maximum amount will disqualify the response from further consideration.

Offeror shall provide a total project cost and a budget delineated by task, approximate hours per task, and approximate dollar amount per task.

Section 5.0 will be evaluated based on the formula set forth below:

Lowest overall cost receives the maximum allotted points. All other proposals received a percentage of the points available based on their cost relationship to the lowest. Example: Total possible points for cost are 30. Offeror A's cost is \$20,000.00. Offeror B's cost is \$30,000.00. Offeror A would receive 30 points, Offeror B would receive 20 points ($\$20,000/\$30,000 = 67\% \times 30 \text{ points} = 20$).

$$\frac{\text{Lowest Responsive Offer Total Cost}}{\text{This Offeror's Total Cost}} \times \text{Number of available points} = \text{Award Points}$$

SECTION 6: EVALUATION PROCESS

6.1 BASIS OF EVALUATION

The evaluator/evaluation committee will review and evaluate the offers according to the following criteria based on a **total number of 100 points**.

The **Provision of Services, References, Company Profile and Experience, Resumes** portions of the proposal will be evaluated based on the following Scoring Guide.

SCORING GUIDE

In awarding points to the evaluation criteria, the evaluator/evaluation committee will consider the following guidelines:

Superior Response (95-100%): A superior response is an exceptional reply that completely and comprehensively meets all of the requirements of the RFP. In addition, the response may cover areas not originally addressed within the RFP and/or include additional information and recommendations that would prove both valuable and beneficial to the agency.

Good Response (75-94%): A good response clearly meets all the requirements of the RFP and demonstrates in an unambiguous and concise manner a thorough knowledge and understanding of the project, with no deficiencies noted.

Fair Response (60-74%): A fair response minimally meets most requirements set forth in the RFP. The offeror demonstrates some ability to comply with guidelines and requirements of the project, but knowledge of the subject matter is limited.

Failed Response (59% or less): A failed response does not meet the requirements set forth in the RFP. The offeror has not demonstrated sufficient knowledge of the subject matter.

6.2 EVALUATION CRITERIA

Category	Section of RFP	Point Value
Ability to Meet Provision of Services	25% of points for a possible 25 points	
1. Example	4.2.4 (a)	10
2. Ability and Knowledge	4.2.4 (b)	15
References		Pass/Fail
3. References (Complete contact information provided)	4.2.1	Pass/Fail

Category		Section of RFP	Point Value
Company Profile and Experience		10% of points for a possible 10 points	
4.	Company Profile Information	4.2.2	5
5.	Experience		5
Resumes		10% of points for a possible 10 points	
6.	Staff Qualifications (Key Personnel mentioned)	4.2.3	10
Equal Pay for Montana Women		5% of points for a possible 5 points	
7.	Agree and will comply form signed	4.2.6	5
Cost Proposal		20% of points for a possible 20 points	
8.	Cost Proposal	5.0	
Work Plan		30% of points for a possible 30 points	
	Details specific to each task	4.2.5 (a)	15
	Timeline	4.2.5 (b)	15